

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
EUGENE DIVISION

DEBORAH MARIE ABNEY,

3:16-CV-1671-TC

Plaintiff,

v.

ORDER AWARDING ATTORNEY FEES
PURSUANT TO THE EQUAL ACCESS TO
JUSTICE ACT

COMMISSIONER, SOCIAL SECURITY
ADMINISTRATION,

Defendant.

COFFIN, Magistrate Judge:

The parties have stipulated to an award of fees in plaintiff's favor in the amount of \$5, 420.95 and agreed such fees are subject to offset under the Treasury Offset Program, 31 U.S.C. § 3716(c)(3)(B) (2006).

The Commissioner has recognized that plaintiff previously assigned her right to EAJA fees to her attorney. If the Commissioner determines that plaintiff does not owe a debt that is subject to offset under the Treasury Offset Program, the Commissioner shall waive the requirements of the Anti-Assignment Act, and the EAJA fees shall be made payable to plaintiff's attorney.

However, if there is a debt owed under the Treasury Offset Program, the Commissioner cannot agree to waive the requirements of the Anti-Assignment Act, and the remaining EAJA fees after offset shall be paid by a check made out to plaintiff, but delivered to plaintiff's attorney.

DATED this 20 day of December, 2017



THOMAS M. COFFIN
United States Magistrate Judge